

HOUSE BILL ANALYSIS

HB 1143

Title: An act relating to deductions from inmate funds.

Brief Description: Authorizing deductions from inmate funds.

Sponsors: Representatives O'Brien, Ballasiotes, Tokuda, Cairnes, Lovick, Kagi, Koster, Constantine, K. Schmidt, Kastama, Fisher, Quall, Kenney, Veloria, Eickmeyer, Kessler, Lantz, Ogden, Murray, Lambert, Dunn, Rockefeller and Conway.

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND CORRECTIONS

Staff: Yvonne Walker (786-7841).

Background:

The Department of Corrections (DOC) is responsible for establishing deductions to be made from an inmate's wages to contribute to the cost of incarceration and the development of the Correctional Industries program. For example, a 35 percent deduction is withdrawn from the wages of inmates participating in a class I Correctional Industry program (private sector businesses operated in the DOC). The deduction is then distributed as follows:

- 5 percent to the Crime Victims' Compensation program;
- 10 percent to the inmate's savings account; and
- 20 percent to the cost of the inmate's incarceration.

All money received by an inmate from outside of the prison is subject to the same mandatory deductions as class I industry wages.

Summary of Original Bill:

The mandatory deduction on all money received by an inmate from outside of the prison, totaling \$100 or less, is reduced from 35 percent to 15 percent: 5 percent to the Crime Victims' Compensation program and 10 percent to the inmate's savings account.

When an inmate receives any funds in addition to his or her wages or gratuities, exceeding \$100 dollars, then the additional funds are subject to the current statutory deduction of 35 percent: 5 percent to the Crime Victims' Compensation program, 10

percent to the inmate's savings account, and 20 percent to the cost of the inmate's incarceration.

Summary of Substitute Bill:

The mandatory deduction on all money received by an inmate from outside of the prison, totaling \$100 or less, is reduced from 35 percent to 25 percent: 5 percent to the Crime Victims' Compensation program and 20 percent to the Department of Corrections for the inmate's cost of incarceration.

When an inmate receives any funds in addition to his or her wages or gratuities exceeding \$100 dollars, then the additional funds are subject to the current statutory deduction of 35 percent: 5 percent to the Crime Victims' Compensation program, 10 percent to the inmate's savings account, and 20 percent to the cost of the inmate's incarceration.

The Department of Corrections is prohibited from taking any of the mandatory 35 percent deduction from any money an inmate receives from outside of the prison when it is to be used solely for the intention of educational purposes or for any offender-paid health care or related expenses (ie. transportation and custody escorting to a health care facility outside the prison). Any funds received by the department on behalf of an offender's education or health care that are requested by that offender to be used for purposes other than the original intention will be subject to the current statutory deduction of 35 percent.

In addition, any funds received from outside of the prison by an offender who is sentenced to life imprisonment without parole or the death penalty are subject to the a 25 percent deduction: 5 percent to the Crime Victims' Compensation program and 20 percent to the cost of the inmate's incarceration.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.